

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-10 are pending in this application. Claims 1 and 6, which are independent, are hereby amended. Support for this amendment is provided throughout the specification. No new matter has been introduced by this amendment. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Applicants respectfully submit that the Office Action should not have been made “Final” because the limitation added to claims 1 and 6, wherein the plural recording and reproducing means includes at least one parity data recording and reproducing means, had not been claimed before. Contrary to the Examiner’s contention, all claims are not “drawn to the same invention claimed in the earlier application.”

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,278,838 to Ng, et al. in view of U.S. Patent No. 5,758,057 to Baba, et al.

Claim 1 recites, *inter alia*:

“...a plurality of recording and reproducing means for recording and/or reproducing data containing video and/or audio data on and/or from a nonlinearly-accessible recording medium;

a parity data only recording and reproducing means for recording error-correcting code on a nonlinearly-accessible recording medium; and

a plurality of input and output processing means connected to said recording and reproducing means through a predetermined transmission line for processing said data inputted from the outside to output processed data to said recording and reproducing means in a time-division manner and which process said data outputted from said recording and reproducing means in a time-division manner to output processed data to the outside...” (emphasis added)

As understood by Applicant U.S. Patent No. 5,278,838 to Ng, et al. (hereinafter, merely “Ng”) relates to rebuilding data of an array to remove the degradation of fault tolerance in a redundant array of disk drives due to error conditions.

As understood by Applicant, U.S. Patent No. 5,758,057 to Baba, et al. (hereinafter, merely “Baba”) relates to the generation and transmission of data stored in a faulty disk drive when one of a plurality of disk drives is faulty due to an internal calibration error or an error of the disk drive, or when the faulty disk drive does not respond within a predetermined length of time set in a timeout table.

Applicant respectfully submits that nothing has been found in Ng or Baba, taken alone or in combination, that would teach or suggest the above-identified features of independent claim 1.

Specifically, Applicant submits that Ng and Baba fail to disclose or suggest a plurality of recording and reproducing means for recording and/or reproducing data containing video and/or audio data on and/or from a nonlinearly-accessible recording medium, a parity data

recording and reproducing means for recording error-correcting code on a nonlinearly-accessible recording medium, and a plurality of input and output processing means connected to said recording and reproducing means through a predetermined transmission line for processing said data inputted from the outside to output processed data to said recording and reproducing means in a time-division manner and which process said data outputted from said recording and reproducing means in a time-division manner to output processed data to the outside, as recited in claim 1.

Therefore, claim 1 is patentable.

For reason similar to those described above, claim 6 is also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

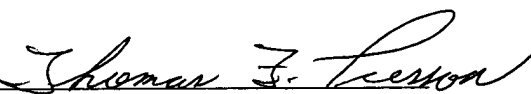
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800